

ATTACHMENT D

LETTER OF CREDIT, FINANCIAL STATEMENTS AND  
RATING AGENCY REPORT OF FINANCIAL INSTITUTION PROVIDING  
LETTER OF CREDIT

LASALLE BANK MIDWEST N.A.

GLOBAL TRADE ADVISORY

ABN AMRO PLAZA

540 W. MADISON - 26TH FLOOR

CHICAGO, IL 60661

TELEPHONE: 312-904-8462 TELEFAX: 312-904-6303

SWIFT: MICHUS33

JANUARY 16, 2008

**BENEFICIARIES:**

COMMON WEALTH EDISON, INC., 440 S. LASALLE ST., SUITE 3300,  
CHICAGO, IL 60605 AND

CENTRAL ILLINOIS LIGHT COMPANY DBA AMERENCILCO,  
1901 CHOUTEAU, ST. LOUIS, MO 63103, MAIL CODE: 333,  
ATTN: PATRICK EYNON AND

ILLINOIS POWER COMPANY DBA AMERENIP  
1901 CHOUTEAU, ST. LOUIS, MO 63103, MAIL CODE: 333  
ATTN: PATRICK EYNON AND

CENTRAL ILLINOIS PUBLIC SERVICE COMPANY DBA AMERENCIPS  
1901 CHOUTEAU, ST. LOUIS, MO 63103, MAIL CODE: 333  
ATTN: PATRICK EYNON

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**APPLICANT:**

ENERGY INTERNATIONAL POWER MARKETING  
DBA POWERONE CORPORATION  
6840 N. HAGGERTY ROAD  
CANTON, MI 48107

STANDBY LETTER OF CREDIT NUMBER: S456945

AMOUNT: USD 261,921.60

(TWO HUNDRED SIXTY ONE THOUSAND NINE HUNDRED TWENTY ONE AND  
60/100 UNITED STATES DOLLARS )

DATE OF EXPIRY: JANUARY 08, 2009

PLACE OF EXPIRY: OUR COUNTERS

**1. INTRODUCTION**

ISSUER HEREBY ESTABLISHES AN IRREVOCABLE LETTER OF CREDIT IN  
FAVOR OF THE ABOVE NAMED BENEFICIARIES FOR THE ACCOUNT OF ENERGY  
INTERNATIONAL POWER MARKETING CORPORATION DBA POWERONE  
CORPORATION, 6840 N. HAGGERTY ROAD, CANTON, MI 48107 FOR THE  
AMOUNT OF TWO HUNDRED SIXTY ONE THOUSAND NINE HUNDRED TWENTY ONE  
AND 60/100 UNITED STATES DOLLARS (\$261,921.60) AND VALID UNTIL  
JANUARY 8, 2009, WHICH WE ARE INFORMED COVERS SERVICE  
TRANSACTIONS THAT OCCUR DURING THE VALIDITY OF THIS LETTER OF  
CREDIT.

**2. DRAWING CERTIFICATES**

THE FUNDS PROVIDED BY THIS IRREVOCABLE LETTER OF CREDIT ARE  
AVAILABLE TO THE BENEFICIARIES UPON PRESENTATION OF A DRAWING  
CERTIFICATE IN THE FORM ATTACHED HERETO SIGNED BY ONES  
PURPORTING TO BE EXECUTIVE DIRECTORS OR DESIGNATED  
REPRESENTATIVES OF THE BENEFICIARIES.

WE HEREBY AGREE THAT THIS IRREVOCABLE LETTER OF CREDIT WILL BE  
DULY HONORED UPON PRESENTATION AND DELIVERY OF THE DRAWING  
CERTIFICATE, IF PRESENTED PRIOR TO OR WITHIN 90 DAYS OF THE  
EXPIRATION OF THIS IRREVOCABLE LETTER OF CREDIT, WITHIN 3

DATE: JAN. 16, 2008

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# DRAWING CERTIFICATE

LASALLE BANK MIDWEST N.A.  
540 WEST MADISON STREET, 26TH FLOOR  
CHICAGO, IL 60661  
SUBJECT IRREVOCABLE LETTER OF CREDIT REFERENCE NUMBER 5456946

\_\_\_\_\_ (BENEFICIARIES) HEREBY DEMAND PAYMENT OF  
\_\_\_\_\_ UNITED STATES DOLLARS (USD \$ \_\_\_\_\_). THE  
BENEFICIARIES STATE AND CERTIFY TO LASALLE BANK MIDWEST N.A.  
WITH REFERENCE TO ITS PRESENTATION OF THIS DRAWING CERTIFICATE  
UNDER THE IRREVOCABLE LETTER OF CREDIT NO. 8456946 ISSUED BY  
LASALLE BANK MIDWEST N.A. IN FAVOR OF THE BENEFICIARIES THAT:

1. THE IRREVOCABLE LETTER OF CREDIT WAS ESTABLISHED TO SATISFY THE REQUIREMENTS OF THE ORDER ISSUED BY THE ILLINOIS COMMERCE COMMISSION ON \_\_\_ (INSERT DATE) \_\_\_ IN DOCKET NO. \_\_\_ (INSERT DOCKET NO.) \_\_\_ PURSUANT TO SECTION \_\_\_ (INSERT SECTION) \_\_\_ OF THE ILLINOIS PUBLIC UTILITIES ACT.

2. DEMAND FOR PAYMENT UNDER THE IRREVOCABLE LETTER OF CREDIT IS BEING MADE IN ACCORDANCE WITH THE PETITION FILED BY BIDDER AND THE ORDER ISSUED BY THE ILLINOIS COMMERCE COMMISSION ON \_\_\_ (INSERT DATE) \_\_\_, TO PROVIDE SECURITY BETWEEN BIDDER AND BENEFICIARIES DATED AND IS BEING MADE PRIOR TO OR WITHIN 90 DAYS OF THE EXPIRATION OF THIS IRREVOCABLE LETTER OF CREDIT.

3. THE BENEFICIARIES ARE ENTITLED UNDER THE PROVISIONS OF THE PETITION TO PAYMENT OF SUMS BEING DEMANDED, THE UNDERSIGNED IS DULY AUTHORIZED TO EXECUTE AND DELIVER THIS DRAWING CERTIFICATE ON BEHALF OF THE BENEFICIARY AND TO CAUSE THE BENEFICIARIES TO DRAW UPON THE LETTER OF CREDIT.

THE UNDERSIGNED IS DULY AUTHORIZED TO EXECUTE AND DELIVER THIS  
DRAWING CERTIFICATE ON BEHALF OF THE BENEFICIARY AND TO CAUSE THE  
BENEFICIARY TO DRAW UPON THE LETTER OF CREDIT.

SINCERELY,

1. (TITLE)

(TITLE)

3. (TITLE)

4. \_\_\_\_\_ (TITLE)

### Credit Ratings List

**[+]**  
**FEEDBACK**

## Good Faith Estimate

Applicant's good faith estimate of its expected maximum megawatts to be scheduled is 3 megawatts. Based on the Commission's January 24, 2007 Final Order, average price of \$60.63 per MWH order in Docket No. 07-0071. As shown in the calculations below, the obligation will be covered by a letter of credit issued by LaSalle Bank.

Calculation:

Max MW's	4.00
Factor of 1080	1,080
Market value pricing per order ICC 07-0771	\$60.63
Total Value of Letter of Credit	\$261,921.60

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission  
On Its Own Motion

Published Price Index for Electricity  
pursuant to 83 Ill. Adm. Code 451

07-0071

ORDER

By the Commission:

In 83 Ill. Adm. Code 451, "Certification of Alternative Retail Electric Suppliers", the Illinois Commerce Commission ("Commission") has established certain financial qualifications for applicants seeking to provide alternative retail electric service. Subparts B, C, and D each contain similar requirements for those applicants subject to the respective Subpart. The language in Section 451.110(a)(4), pertaining to one criterion that an applicant possesses sufficient financial capabilities, is repeated in Section 451.220(a)(4) and Section 451.320(a)(4), and reads as follows:

The applicant certifies that it will offer to reimburse its Illinois retail customers for the additional costs those customers incur to acquire electric energy as a result of the applicant's failure to comply with a contractual obligation to supply such energy. The applicant's prospective obligation to reimburse Illinois retail customers shall be covered by an unconditional guarantee, payment bond, or letter of credit. Any dollar limitation on the unconditional guarantee, payment bond, or letter of credit shall equal not less than the product of 1080 times an estimate of the maximum number of megawatts [Section 451.320(a)(4) writes "MW" instead of "megawatts"] the applicant expects to schedule over the next twelve months times the average of the 45 highest daily market prices of electric energy traded during the previous year. Each January, the Commission shall choose a published price index for electricity for use in this subsection (a)(4). The daily market price of electric energy shall equal the published price index for electricity traded in Illinois, except, in the event that no price index for electricity traded in the State of Illinois is published, then the daily market price of electricity shall be determined by the use of a published price index for electricity traded at the nearest location to the State of Illinois. The unconditional guarantee, payment bond, or letter of credit shall be valid for a period of not less than one year.

In a Staff Report dated January 4, 2007, the Staff of the Energy Division of the Commission recommends that the Commission adopt the PJM Day-Ahead Locational

Marginal Prices ("LMPs") for the Northern Illinois Hub. PJM energy market data are available on the PJM web-site, by location, at an hourly level of detail.

Using the above-referenced data, Staff has computed daily averages of the 2006 hourly PJM Day-Ahead Locational Marginal Prices for the Northern Illinois Hub, and has sorted these daily averages to find the 45 highest values. The average of these 45 highest values, which Staff recommends using for purposes of 83 Ill. Adm. Code 451 during 2007, is \$60.63 per MWh.

The Commission is satisfied with the Staff analysis of prices and accepts the recommendations of the Staff Report.

The Commission, being fully advised in the premises, is of the opinion and finds that:

- (1) the Commission has jurisdiction over the subject matter of this proceeding;
- (2) the Staff Report dated January 4, 2007 should be made a part of the record of this proceeding;
- (3) the recitals of fact set forth in the prefatory portion of this order are supported by the record which consists of the Staff Report and are hereby adopted as findings of fact;
- (4) the index price proposed by Staff is reasonable and should be adopted.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that, pursuant to 83 Ill. Adm. Code 451.110(a)(4), 83 Ill. Adm. Code 451.220(a)(4); and 83 Ill. Adm. Code 451.320(a)(4), the index of \$60.63 per MWh is adopted for the purpose of setting the dollar amounts of any unconditional guarantee, payment bond, or letter of credit.

IT IS FURTHER ORDERED that the Staff Report dated January 4, 2007 is made a part of the record in this proceeding.

IT IS FURTHER ORDERED that a copy of this Order be served upon all parties to Docket 99-0614, each certificated alternative retail electric supplier, and the Attorney General of the State of Illinois.



IT IS FURTHER ORDERED that, subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 24th day of January, 2007.

(SIGNED) Charles E. Box

Chairman